

JUDGE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	CR05-0273RSM
<i>Plaintiff,</i>)	
)	ORDER GRANTING A CONTINUANCE
V)	OF TRIAL DATE
TERRY EZELL,)	AND FINDING OF EXCLUDABLE TIME
)	
<i>Defendant</i>)	
)	
)	

THE COURT having reviewed the stipulation of the parties, the records and files herein, including, but not limited to the Defendant's stipulation and waiver to extend the time for trial, the court has determined that a continuance of the trial date would be appropriate in this case because the interest of the defendant and public in speedy trial is outweighed by the interest of the defendant in having adequate time in which to investigate and prepare his defense to a significant criminal charge, and hereby makes the following findings of fact:

ORDER GRANTING A CONTINUANCE
OF PRETRIAL CUTOFF DATE AND TRIAL
DATE AND FINDING
EXCLUDABLE TIME - 1

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1 1. The Court finds that a failure to grant the continuance would deny
2 counsel the reasonable time necessary for effective preparation, taking into account the
3 exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

4 2. The Court further finds that the ends of justice will be served by
5 ordering a continuance in this case and that a continuance is necessary to insure effective
6 trial preparation and that these factors outweigh the best interests of the public in a more
7 speedy trial within the meaning of 18 U.S.C. § 3161(h)(8)(A).

8 accordingly,

9 IT IS ORDERED that the trial date be continued from January 9, 2006, to
10 February 27, 2006.

11 IT IS FURTHER ORDERED that the period of time from the current trial
12 date of January 9, 2006, up to and including the new proposed trial date of February 27,
13 2006, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161, *et*.
14 *seq.*

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16 DONE this __19__ day of December, 2005.

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21 RICARDO S. MARTINEZ
22 UNITED STATES DISTRICT JUDGE

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26 ORDER GRANTING A CONTINUANCE
27 OF PRETRIAL CUTOFF DATE AND TRIAL
28 DATE AND FINDING
EXCLUDABLE TIME - 2

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s/ Andrew Colasurdo
Assistant United States Attorney
Telephonic Approval

ORDER GRANTING A CONTINUANCE
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